

Neal Walters (ID No. 020901993)
waltersn@ballardspahr.com
Casey Watkins (ID No. 060122014)
watkinsc@ballardspahr.com
BALLARD SPAHR LLP
210 Lake Drive East, Suite 200
Cherry Hill, NJ 08002-1163
856.761.3400
856.761.1020 fax

Attorneys for Defendant Subaru of America, Inc.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

**Danny Weston, Sandra Weston, Toni Buchetto
Perretta, Martin Greenwald, Margaret
Greenwald, and Kathleen Sears, James
Burkett, Cheryl Boucher, David Boucher,
David Dian, Alice Reh, and Katherine
Spagnolo, individually and on behalf of all
others similarly situated,**

Plaintiffs;

v.

**Subaru of America, Inc. and Subaru
Corporation f/k/a Fuji Heavy Industries, LTD.,**

Defendants.

Case No. 1:20-cv-05876-RMB-JS

**Notice of Defendant Subaru of America,
Inc.'s Motion to Dismiss
[Fed. R. Civ. P. 12(b)(1), (6)]**

Motion Day: December 7, 2020

**TO ALL PARTIES AND
THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that on December 7, 2020, at 10:00 a.m., or as soon thereafter as counsel may be heard, Defendant Subaru of America, Inc. ("SOA") shall move before the United States District Court for the District of New Jersey, the Honorable Renee M. Bumb presiding, at the Mitchell H. Cohen U.S. Courthouse, 1 John F. Gerry Plaza, Camden, New Jersey 08101-2797, for an order dismissing Plaintiffs' Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (6).

PLEASE TAKE FURTHER NOTICE that, in support thereof, SOA will rely on its brief and declaration of counsel with this motion.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 78.1(b), oral argument is requested.

PLEASE TAKE FURTHER NOTICE that a proposed form of order also is attached.

Dated: October 9, 2020

Respectfully submitted,

s/Casey Watkins

Neal Walters (ID No. 020901993)
waltersn@ballardspahr.com
Casey Watkins (ID No. 060122014)
watkinsc@ballardspahr.com
BALLARD SPAHR LLP
210 Lake Drive East, Suite 200
Cherry Hill, NJ 08002-1163
856.761.3400
856.761.1020 fax

Attorneys for Defendant
Subaru of America, Inc.